

Notice of Allowability

Application No.

09/775,079

Examiner

Jared J. Fureman

Applicant(s)

GARNER ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to ____.
2. ☒ The allowed claim(s) is/are 1-14.
3. ☒ The drawings filed on 01 February 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 5/4/2001
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date ____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other ____.

DETAILED ACTION

Receipt is acknowledged of the IDS, filed on 5/4/2001, the declaration, filed on 5/9/2001, and the change of address, filed on 7/25/2003, all of which have been entered in the file. Claims 1-14 are pending.

Allowable Subject Matter

1. Claims 1-14 have been allowed over the prior art of record.
2. The following is an examiner's statement of reasons for allowance: The prior art of record, taken alone or in combination, fails to teach or fairly suggest an apparatus for processing a plurality of financial documents wherein, for each financial document, the document processor is adapted to determine, responsive to the captured data and images, whether the financial document is of a first type or a second type, wherein the first type is a document for which the data and document image needs to be repaired and the second type is a document for which the data needs to be repaired; in combination with the other claimed limitations as set forth in the claims.

Kern et al (US 5,206,915, cited by applicant) teaches capturing data encoded on a financial document (such as magnetic ink character recognition data) and an image (through the use of optical character recognition or an imaging camera) of the financial document and assigning a sequence number to the financial document (see the abstract and column 5 line 20 - column 6 line 68). A processor will determine if the document data or image need correction, and If the document data or image need correction, the corrected data is stored in accordance with the original sequence number assigned to the financial document (see the abstract). Lepic et al (US

4,564,752), Brooks et al (US 5,754,673), and Rossignoli (US 6,504,946) also teach capturing data encoded on a financial document and an image of the financial document. Each of these references also includes a processor that will determine if the data and/or image need correction. However, in each of these references, the processor may determine that the data and image is correctly read and does not require any repair or correction. Thus, the apparatus of the prior art of record does not teach the processor determining whether the financial document is a first type or a second type, wherein the first type is a document for which the data and document image needs to be repaired and the second type is a document for which the data needs to be repaired, for each financial document. The financial documents for which the data or document image does not need to be repaired will not be defined as either of the first type or second type as recited in the claims.

Furthermore, without the benefit of applicant's teachings, there is no motivation for one of ordinary skill in the art at the time of the invention to combine the prior art in a manner so as to create the claimed invention.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Rossignoli (US 6,504,946), Hayosh (US 6,351,553), Cahill et al

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(US 5,963,659), Cahill et al (US 5,940,844), Cahill et al (US 5,917,965), Bellinger et al (US 5,895,455), Bednar et al (US 5,825,506), Miki et al (US 5,544,043), Bednar et al (US 5,506,691), Lepic (US 4,564,752), Brooks et al (US 4,555,617), and Tyburski et al (US 3,764,978) all teach apparatus for processing a plurality of financial documents.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jared J. Fureman whose telephone number is (571) 272-2391. The examiner can normally be reached on 7:00 am - 4:30 PM M-T, and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jared J. Fureman
Jared J. Fureman
Examiner
Art Unit 2876

October 17, 2004